

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DARVON A. HARRING,

Plaintiff,

-v-

KENNETH PINCKEY,
ERIC MELENDEZ,

Defendants.

**ORDER APPOINTING
PRO BONO COUNSEL**

1:17-CV-00449 EAW

On December 14, 2020, the Court granted Plaintiff's motion to appoint counsel (Dkt. 16) and authorized a limited scope appointment of *pro bono* counsel pursuant to L.R. Civ. P. 83.8. (Dkt. 19).

IT IS HEREBY ORDERED that Shannon B. O'Neill of Webster Szanyi LLP, 1400 Liberty Building, Buffalo, New York 14202 is assigned *pro bono*, to represent Darvon A. Harring faithfully and diligently in this case for the limited purpose of addressing the status of this matter, the Court's Order to Show Cause (Dkt. 10) and Defendants' failure to respond to Plaintiff's Complaint.

IT IS FURTHER ORDERED that Shannon B. O'Neill shall provide *pro bono* representation in affiliation with The Erie County Bar Association Volunteer Lawyers Project, Inc. ("VLP"). VLP shall support Ms. O'Neill in various ways including opening a *pro bono* case file for the attorney but will not directly serve Darvon A. Harring. Any

information obtained by VLP about Mr. Harring will be considered confidential per Rule 1.6 of the New York Rules of Professional Conduct.

Shannon B. O'Neill shall receive the benefits and protections afforded to other volunteers of VLP and shall periodically inform VLP of the procedural status of this case. When the representation is complete, Ms. O'Neill shall inform VLP of the outcome and the total number of *pro bono* hours provided in this matter. VLP shall issue New York Continuing Legal Education credits to counsel for her *pro bono* work, to the extent permitted under the accreditation rules.

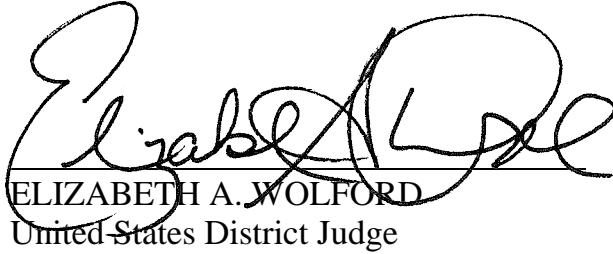
VLP's responsibilities under this Order shall terminate with the conclusion of this *pro bono* assignment (whether through conclusion of assigned representation, withdrawal from representation (with permission from the Court), or otherwise). VLP may also apply to the Court to terminate its responsibilities under this Order at any time, for good cause shown.

The Clerk of Court shall send a copy of this Order to Shannon B. O'Neill, along with this Court's Guidelines Governing the Reimbursement from the District Court Fund of Expenses Incurred by Court Appointed Counsel. The Chief Judge of this Court will also issue an Order directing PACER to waive its fees so that Shannon B. O'Neill can access all documents filed in this case. If Ms. O'Neill is unable to access any document in this matter through PACER on the Court's Case Management/Electronic Case Management System, the Clerk of Court shall provide a free copy of any such document to her upon request. Pursuant to L.R.Civ.P. 83.8(A)(3), in appropriate circumstances, appointed

counsel may make a formal request to the presiding judge for an appointment of *pro bono* co-counsel from the Court's Senior *Pro Bono* Panel.

Shannon B. O'Neill shall contact Darvon A. Harring within 14 days of the issuance of this order.

SO ORDERED.



ELIZABETH A. WOLFORD
United States District Judge

DATED: February 1, 2021
Rochester, NY